

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Lester D. Nelson; Sara Bly

Appln. No.: 09/658,612

Confirm. No.: 3385

Filed: September 8, 2000

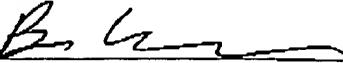
Title: TELEPHONE ACCESSORY FOR GENERATING
CONVERSATION UTTERANCES TO A REMOTE
LISTENER IN RESPONSE TO A QUIET
SELECTIONPATENT APPLICATION

Art Unit: 2643

Examiner: Rexford N.
BarnieCustomer No. 23910

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to the
 Commissioner for Patents, the United States Patent and Trademark Office, Examining
 Group 2643, Facsimile No. (703) 872-9306, on February 4, 2005 Total
 number of pages transmitted 13


 Bryon T. Wasserman, Reg. No. 48,404
 Signature Date: February 4, 2005

(Attorney Signature)

SUPPLEMENTAL LETTER ACCOMPANYING PETITION
FOR EXTENSION OF TIME

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

On January 7, 2005, Applicants' representatives filed a Response to an Office Action having a shortened statutory response period ending on December 7, 2004. Applicants' representatives neglected to include a petition for extending the period of response to January 7, 2005. However, the submitted amendment included an authorization to charge fees for extension of time to the specified deposit account, which as per 37 CFR §1.136 should be treated as a constructive petition.

To insure proper processing of the previously submitted Response, enclosed herein is a Petition for Extension of Time for one month and a copy of the previously submitted Response. If additional time extension is needed for the Response to be accepted, Applicants hereby petition the Commissioner that it be granted and authorize the Commissioner to charge the extension fees to Deposit Account 06-1325.

- 1 -

Attorney Docket No.: FX/A0005Q2
 BWasserman/fxp1/1027us0/suppl ltr re ext.doc

FXPL-01027US0 MCF/BTW

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325, including any fees for extension of time that are needed

Respectfully submitted,

Date: February 4, 2005 
Byron T. Wasserman
Reg. No. 48,404

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800
Fax: (415) 362-2928
Customer No.: 23910

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Attorney Docket No.: FX/A0005Q2
BWasserman/fxp1/1027us0/suppl lr re col.doc

FXPL-01027US0 MCF/BTW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

12

Application Number	09/658,612
Filing Date	9/8/2000
First Named Inventor	Lester D. Nelson
Art Unit	2643
Examiner Name	Rexford N. Barnie
Total Number of Pages In This Submission	12
Attorney Docket Number	FX/A0005Q2

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Supplemental Letter Accompanying Petition for Extension of Time w/COPY of Response B filed 01/07/05
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fliesler Meyer LLP	Customer No. 23910
Signature		
Printed name	Bryon T. Wasserman	
Date	February 4, 2005	Reg. No. 48,404

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Fax. No.: (703) 872-9306

Signature		
Typed or printed name	Bryon T. Wasserman	Date

February 4, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: FX/A0005Q2

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PAGE 1/12 * RCV'D AT 2/4/2005 5:23:11 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/2 * DNIS:8729306 * CSID:415 362 2928 * DURATION (mm:ss):03:22

PTO/SB/17 (12-04)

Approved for use through 07/31/2008. OMB 0651-0032
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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

Complete If Known	
Application Number	09/658,612
Filing Date	9/8/2000
First Named Inventor	Lester D. Nelson
Examiner Name	Rexford N. Barnie
Art Unit	2643
Attorney Docket No.	FX/A0005Q2

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify):
 Deposit Account Deposit Account Number: 06-1325 Deposit Account Name: 23910 - Fliesler Meyer LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments
 under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Fee Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

	Small Entity
Fee (\$)	Fee (\$)

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

50

25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200

100

Multiple dependent claims

360

180

Total Claims

Extra Claims	Fee (\$)	Fee Paid (\$)
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Multiple Dependent Claims

Fee (\$)	Fee Paid (\$)
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- 20 or HP = x =

HP = highest number of total claims paid for, if greater than 20

Indep. Claims

Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets

Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

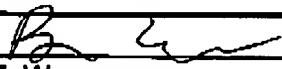
Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other: \$110.00 - one-month extension of time

110.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 48,404	Telephone 415.362.3800
Name (Print/Type)	Bryon T. Wasserman	Date February 4, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: FX/A0005Q2

FXPL-01027US0 MCF/BTW

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